

RESOLUTION NO. 20050929-078

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

WHEREAS, the City Council was requested to review and approve the use of parkland for the construction of two sedimentation/filtration ponds and approximately 3-acres of temporary working space to allow for construction of the ponds through dedicated park land known as Zilker Park, and

WHEREAS, notice of public meeting to be held on September 29, 2005, was given for three consecutive weeks on September 4, 11, and 18, 2005 in a newspaper of general circulation, and

WHEREAS, such public hearing was held September 29, 2005, by the City Council to determine the approval of the improvements proposing the use of the parkland, **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council finds that, having taken into account clearly enunciated local preferences, there is no feasible and prudent alternative to the use of parkland (detailed in the attached Exhibit "A") for the proposed construction of two sedimentation/filtration ponds and approximately 3-acres of temporary working space to allow for construction of the ponds through Zilker Park and such proposed use is approved

That the City Council finds that the program of improvements includes all reasonable planning to minimize harm to the parkland from the resulting use.

That the City Manager or his designee be authorized to take such measures as may be necessary for the placement of the ponds

ADOPTED: September 29, 2005

ATTEST:


Shirley A. Brown
City Clerk

City of Austin
to
City of Austin
29.05-Acres out of the William Barton Labor
(For Parkland Use Agreement)

LEGAL DESCRIPTION

ALL OF THAT CERTAIN 1.325-ACRE (57,707 SQUARE FEET) TRACT OR PARCEL OF LAND BEING A PORTION OF A 29.05-ACRE TRACT OF LAND OUT OF THE WILLIAM BARTON LABOR, AS CONVEYED TO THE CITY OF AUSTIN BY WARRANTY DEED DATED JULY 19, 1955 AND RECORDED IN VOLUME 1602, PAGE 153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.325-ACRE TRACT BEING COMPRISED OF TWO TRACTS, PART 1 BEING 1.290-ACRE (56,202 SQUARE FEET) AND PART 2 BEING 0.035-ACRE (1,505 SQUARE FEET), SAID PART 1 AND PART 2 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, AND AS SHOWN ON THE ATTACHED SKETCHES:

Part 1

BEGINNING FOR POINT OF REFERENCE at a 1/2" iron rod found on the northerly right-of-way line of Barton Hills Drive (70' Right-of-Way), said 1/2" iron rod found being the southeast corner of Lot 1, Barton Terrace 7-A, a subdivision as recorded in Book 62, Page 73 of the Plat Records of Travis County, Texas, said 1/2" iron rod found also being in the southwest line of the above referenced City of Austin 29.05-acre tract, **THENCE**, with the common line of said Lot 1, Barton Terrace and said City of Austin 29.05-acre tract, N54°59'23"W a distance of 9.07 feet to a calculated angle point, **THENCE**, continuing with said common line, N65°25'23"W a distance of 79.15 feet to a calculated point, **THENCE**, departing said common line, through said City of Austin 29.05-acre tract, N24°34'37"E a distance of 78.49 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (HARN), U.S. Feet, Combined Scale Factor 0.999938179) values of N = 10,068,403.240 and E = 3,105,074.395 for the most southerly corner and **POINT OF BEGINNING** of the herein described tract of land,

THENCE, continuing through said City of Austin 29.05-acre tract, the following twenty-six (26) courses

- 1) N69°49'23"W a distance of 67.92 feet to a calculated angle point of this tract,
- 2) N60°58'02"W a distance of 73.34 feet to a calculated angle point of this tract,
- 3) S82°17'33"W a distance of 52.96 feet to a calculated angle point of this tract,

- 4) N69°21'51"W a distance of 87.49 feet to a calculated angle point of this tract,
- 5) N29°54'17"W a distance of 37.70 feet to a calculated angle point of this tract,
- 6) S30°44'14"W a distance of 11.94 feet to a calculated angle point of this tract,
- 7) N58°32'04"W a distance of 16.05 feet to a calculated angle point of this tract,
- 8) N30°56'59"E a distance of 13.44 feet to a calculated angle point of this tract,
- 9) N35°35'37"W a distance of 40.38 feet to a calculated angle point of this tract,
- 10) N11°23'13"W a distance of 23.13 feet to a calculated angle point of this tract,
- 11) N15°21'38"E a distance of 23.88 feet to a calculated angle point of this tract,
- 12) N45°17'56"E a distance of 31.27 feet to a calculated angle point of this tract,
- 13) N71°21'08"E a distance of 43.88 feet to a calculated angle point of this tract,
- 14) N87°59'17"E a distance of 27.07 feet to a calculated angle point of this tract,
- 15) S68°17'32"E a distance of 27.39 feet to a calculated angle point of this tract,
- 16) S74°38'54"E a distance of 18.47 feet to a calculated angle point of this tract,
- 17) S89°39'29"E a distance of 44.73 feet to a calculated angle point of this tract,
- 18) N23°53'46"E a distance of 16.49 feet to a calculated angle point of this tract,
- 19) N17°52'24"E a distance of 24.79 feet to a calculated point for the most northerly corner of this tract, from which a 3/4" iron pipe found at an angle point in the said common line of Lot 1, Barton Terrace 7-A, and said City of Austin 29.05-acre tract bears N59°21'47"W a distance of 244.09 feet,
- 20) S66°47'33"E a distance of 112.70 feet to a calculated angle point of this tract,
- 21) S01°46'55"E a distance of 84.10 feet to a calculated angle point of this tract,
- 22) S45°45'09"E a distance of 52.97 feet to a calculated angle point of this tract,
- 23) S15°15'35"E a distance of 25.80 feet to a calculated angle point of this tract,
- 24) S32°42'06"W a distance of 34.42 feet to a calculated angle point of this tract,
- 25) S13°11'32"E a distance of 34.95 feet to a calculated angle point of this tract,

- 26) S59°03'13"W a distance of 20 74 feet to the **POINT OF BEGINNING** and containing 1 290-acre (56,202 square feet) of land, more or less,

Part 2

BEGINNING FOR POINT OF REFERENCE at a 1/2" iron rod found on the northerly right-of-way line of Barton Hills Drive (70' Right-of-Way), said 1/2" iron rod found being the southeast corner of Lot 1, Barton Terrace 7-A, a subdivision as recorded in Book 62, Page 73 of the Plat Records of Travis County, Texas, said 1/2" iron rod found also being in the southwest line of the above referenced City of Austin 29 05-acre tract, **THENCE**, with the common line of said Lot 1, Barton Terrace and said City of Austin 29 05-acre tract, N54°59'23"W a distance of 9 07 feet to a calculated angle point, **THENCE**, continuing with said common line, N65°25'23"W a distance of 454 57 feet to a calculated point, **THENCE**, departing said common line, through said City of Austin 29 05-acre tract, N24°34'37"E a distance of 233 26 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (HARN), U S Feet, Combined Scale Factor 0 999938179) values of N = 10,068,700 271 and E = 3,104,797 432 for the most southerly corner and **POINT OF BEGINNING** of the herein described tract of land,


THENCE, continuing through said City of Austin 29 05-acre tract, the following fifteen (15) courses

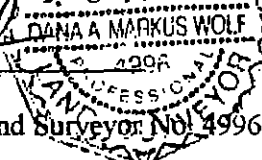
- 1) N03°16'48"W a distance of 6 80 feet to a calculated angle point of this tract,
- 2) N10°52'34"E a distance of 14 25 feet to a calculated angle point of this tract,
- 3) S78°47'35"E a distance of 5 04 feet to a calculated angle point of this tract,
- 4) N11°14'11"E a distance of 18 10 feet to a calculated angle point of this tract,
- 5) N10°27'35"E a distance of 20 32 feet to a calculated angle point, for the most northerly corner of this tract, from which a 3/4" iron pipe found at an angle point in the said common line of Lot 1, Barton Terrace 7-A, and said City of Austin 29 05-acre tract bears N64°14'40"W a distance of 77 74 feet,
- 6) S78°17'05"E a distance of 35 11 feet to a calculated angle point of this tract,
- 7) S56°30'34"E a distance of 6 69 feet to a calculated angle point of this tract,
- 8) S37°23'34"E a distance of 7 23 feet to a calculated angle point of this tract,
- 9) S12°04'39"E a distance of 5 59 feet to a calculated angle point of this tract,
- 10) S03°24'12"E a distance of 9 71 feet to a calculated angle point of this tract,
- 11) N89°33'43"W a distance of 16 51 feet to a calculated angle point of this tract,

- 12) N79°53'17"W a distance of 24 88 feet to a calculated angle point of this tract,
- 13) S09°59'27"W a distance of 13 64 feet to a calculated angle point of this tract,
- 14) S38°12'28"W a distance of 18 39 feet to a calculated angle point of this tract,
- 15) S67°21'07"W a distance of 6 30 feet to the **POINT OF BEGINNING** and containing 0 035-acre (1,505 square feet) of land, more or less,

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc from a survey made on the ground during January, 2005 under my supervision

Prepared by Landmark Surveying, Inc


Dana A. Markus-Wolf
Registered Professional Land Surveyor No. 4996
August 22, 2005
Revised August 31, 2005



BEARING BASIS NOTE

Nad 83 (Harn)

Coordinate system (Grid)

Texas Central (4203)

Combined scale factor 999938179

Horizontal coordinates for AUS 5 as established and published by the Texas Department of Transportation and H-22-3001 as established and published by the City of Austin were used as controlling monuments for this survey

Parkland Use Agreement_r1 doc

Austin Map No 553, Grid No G-22

TCAD No 0104060102

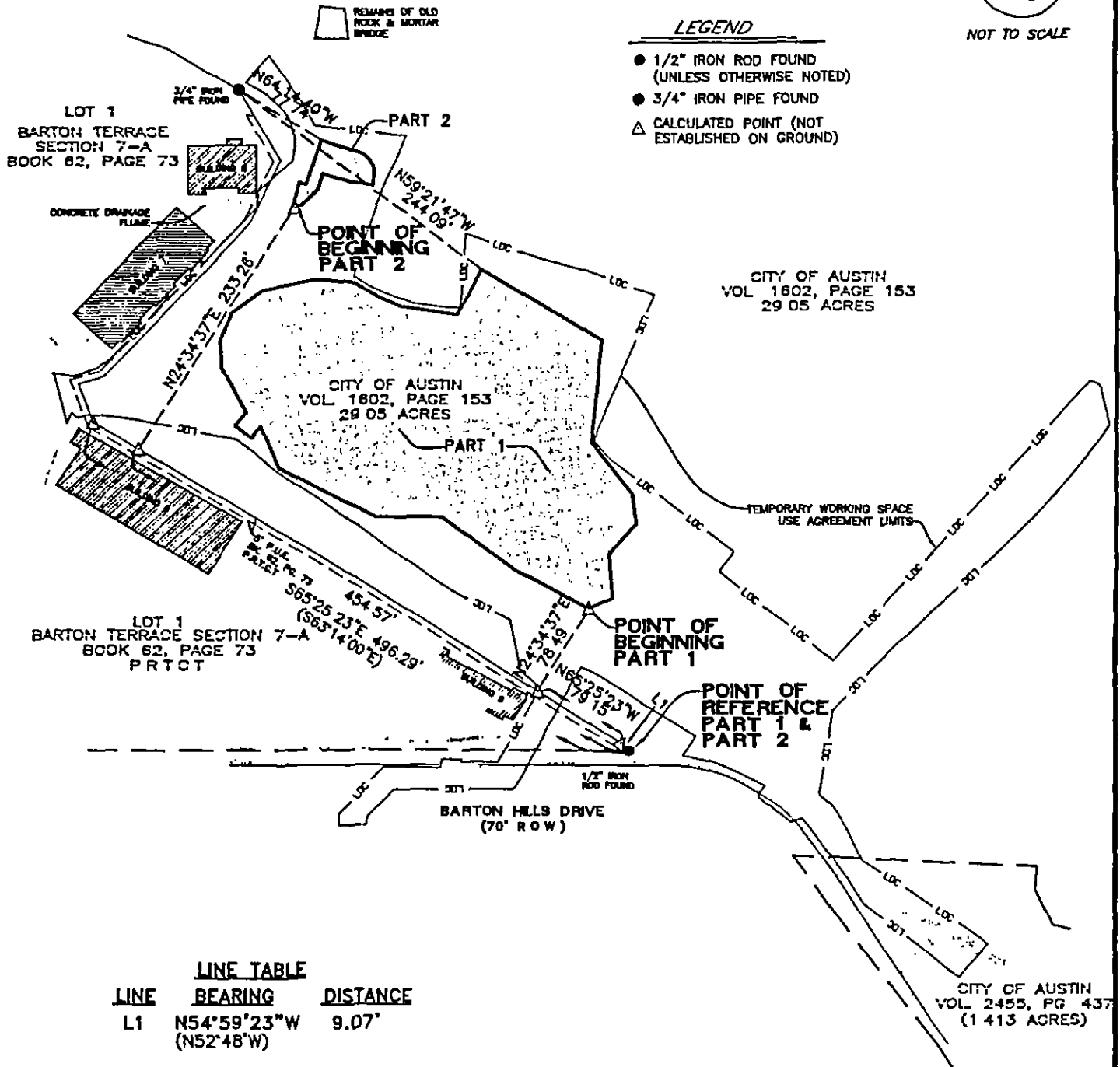
**SURVEY OF A PORTION OF
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 5 OF 8**



NOT TO SCALE

LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 3/4" IRON PIPE FOUND
- △ CALCULATED POINT (NOT
ESTABLISHED ON GROUND)



LINE TABLE

LINE	BEARING	DISTANCE
L1	N54°59'23"W (N52°48'W)	9.07'

**SKETCH TO
ACCOMPANY
FIELD NOTES**

Client: CRESPO CONSULTING SERVICES
 Date: AUGUST 30, 2005
 Office: MCLoughlin
 Crews:
 F.B.:
 Dist: Z:\crespo\Barton Creek Sediment\Landmark Drawings\Grid-Start\EASEMENTS\RC-grid-BASE.dwg
 Copied:
 Job No.: 531-01-09

Landmark
 SURVEYING, INC.

1301 S CAPITAL OF TEXAS HWY.
 BUILDING 8, SUITE 315
 AUSTIN, TEXAS 78746
 PH (512)328-7411 FAX (512)328-7413

**SURVEY OF A PORTION OF
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 6 OF 8**



SCALE 1"=60'

**SKETCH TO
ACCOMPANY
FIELD NOTES**

**CITY OF AUSTIN
VOL 1602, PAGE 153
D.R.T.C.T.
29.05 ACRES**

**CITY OF AUSTIN
VOL 1602, PAGE 153
D.R.T.C.T.
29.05 ACRES**

**PARKLAND USE
AGREEMENT-PART 1
1.290-ACRE
(56,202 SQ. FT.)**

**POINT OF BEGINNING
PART 1**

N 10,068.403.240
E 3,105,074.395
(GRID)

NOTE:
SEE PAGE 7 OF 8 FOR LINE TABLE.

**POINT OF
REFERENCE**

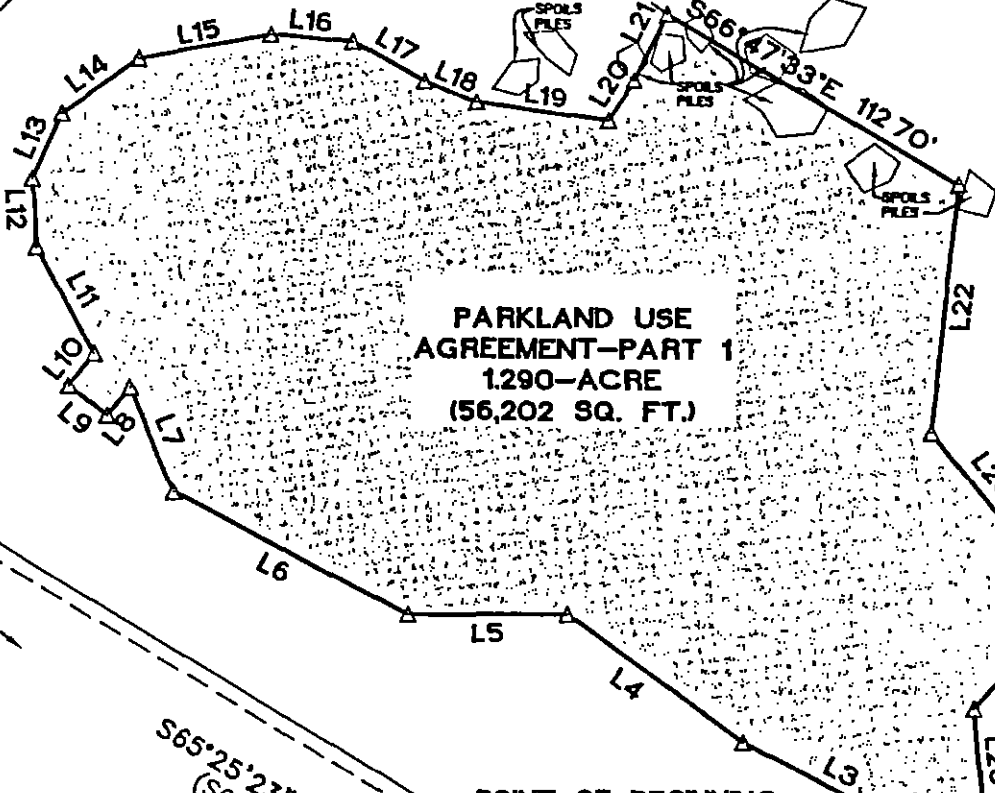
**BARTON HILLS DRIVE
(70' R.O.W.)**

**Landmark
SURVEYING, INC.**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH (512)328-7411 FAX. (512)328-7413

**LOT 1
BARTON TERRACE
SECTION 7-A
BOOK 62, PAGE 73**

N59°21'47"W 244.09'



**LOT 1
BARTON TERRACE
SECTION 7-A
BOOK 62, PAGE 73**

**BARTON HILLS PARK PLACE
VOL 10817, PG 319
R.P.R.T.C.T.**

AS SURVEYED BY
LANDMARK SURVEYING, INC

Dana Markus-Wolf
Registered Professional Land Surveyor No 4996
DATE : AUGUST 18, 2005
REVISED AUGUST 31, 2005
THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR

Client: CRESPO CONSULTING SERVICES
Date: AUGUST 18, 2005
Officer: MKLaughlin
Crew: F.B.I.
Dists: Z:\crespo\Barton Creek Sediment\Landmark Drawings\Grid-Start\EASEMENTS\BC-grid-BASE.dwg
Copro:
Job No.: 551-01-08

**SURVEY OF A PORTION OF
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 7 OF 8**

<u>LEGEND</u>	
●	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
●	3/4" IRON PIPE FOUND
△	CALCULATED POINT (NOT ESTABLISHED ON GROUND)
□	CONCRETE IMPROVEMENTS
JB	JUNCTION BOX
W	WASTEWATER MANHOLE
—	BREAK IN SCALE
()	RECORD INFORMATION
PUE	PUBLIC UTILITY EASEMENT
R.O.W	RIGHT-OF-WAY
TCAD	TRAVIS COUNTY APPRAISAL DISTRICT
D.R.T.C.T	DEED RECORDS TRAVIS COUNTY, TEXAS
P.R.T.C.T	PLAT RECORDS TRAVIS COUNTY, TEXAS
R.P.R.T.C.T	REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS

<u>LINE TABLE</u>		
LINE	BEARING	DISTANCE
L1	N54°29'23"W (N52°48'W)	9.07'
L2	N65°25'23"W (N63°14'W)	79.15'
L3	N69°49'23"W	67.92'
L4	N60°58'02"W	73.34'
L5	S82°17'33"W	52.96'
L6	N69°21'51"W	87.49'
L7	N29°54'17"W	37.70'
L8	S30°44'14"W	11.94'
L9	N58°32'04"W	16.05'
L10	N30°56'59"E	13.44'
L11	N35°35'37"W	40.38'
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L13	N15°21'38"E	23.88'
L14	N45°17'56"E	31.27'
L15	N71°21'08"E	43.88'
L16	N87°59'17"E	27.07'
L17	S68°17'32"E	27.39'
L18	S74°38'54"E	18.47'
L19	S89°39'29"E	44.73'
L20	N23°53'46"E	16.49'
L21	N17°52'24"E	24.79'
L22	S01°46'55"E	84.10'
L23	S45°45'09"E	52.97'
L24	S15°15'35"E	25.80'
L25	S32°42'06"W	34.42'
L26	S13°11'32"E	34.95'
L27	S59°03'13"W	20.74'

TITLE COMMITMENT NOTE:

A title commitment was NOT REVIEWED for the purpose of this survey.

BEARING BASIS NOTE:

NAD 83 (HARN) COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203) COMBINED SCALE
FACTOR 0.999938179 NAVD 88 VERTICAL DATUM HORIZONTAL
AND VERTICAL COORDINATES FOR AUS 5 AS ESTABLISHED AND
PUBLISHED BY TEXAS DEPARTMENT OF TRANSPORTATION AND
H-22-3001 AS ESTABLISHED AND PUBLISHED BY THE CITY OF
AUSTIN, WERE USED AS THE CONTROLLING MONUMENTS FOR THIS
SURVEY

**SKETCH TO
ACCOMPANY
FIELD NOTES**


Landmark
SURVEYING, INC.

1301 S. CAPITAL OF TEXAS HWY
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH (512)328-7411 FAX: (512)328-7413

Client: CRESPO CONSULTING SERVICES
Date: AUGUST 18, 2005
Office: MKLaughlin
Crew: F.B.S.
Disk: Z:\areapo\Barton Creek Sediment\Landmark Drawings\Grid-Staff\EASEMENTS\BC-grid-BASE.dwg
Cogn: Job No. 831-01-08

**SURVEY OF A PORTION OF
CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS
PAGE 8 OF 8**

LINE	BEARING	DISTANCE
L1	N54°59'23"W (N52°48'W)	9.07'
L2	N03°16'48"W	6.80'
L3	N10°52'34"E	14.25'
L4	S78°47'35"E	5.04'
L5	N11°14'11"E	18.10'
L6	N10°27'35"E	20.32'
L7	S56°30'34"E	6.69'
L8	S37°23'34"E	7.23'
L9	S12°04'39"E	5.59'
L10	S03°24'12"E	9.71'
L11	N89°33'43"W	16.51'
L12	N79°53'17"W	24.88'
L13	S09°59'27"W	13.64'
L14	S38°12'28"W	18.39'
L15	S67°21'07"W	6.30'



SCALE 1"=20'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON PIPE FOUND
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- () RECORD INFORMATION
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- T.C.A.D. TRAVIS COUNTY APPRAISAL DISTRICT
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- CONCRETE IMPROVEMENTS
- CLEAN OUT
- BREAK IN SCALE

**CITY OF AUSTIN
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D.R.T.C.T.
29.05 ACRES**

**LOT 1
BARTON TERRACE
SECTION 7-A
BOOK 62, PAGE 73
P.R.T.C.T.**



EXISTING BUILDING

SIDEWALK

CONCRETE DRAINAGE FLUME

**BARTON HILLS PARK PLACE
VOL. 10817, PG 319
R.P.R.T.C.T.**

**POINT OF BEGINNING
PART 2
N 10,068,700.271
E 3,104,797.432
(GRID)**

**PARKLAND USE
AGREEMENT-PART 2
0.035-ACRE
(1,505 SQ. FT.)**

**CITY OF AUSTIN
VOL. 1602, PAGE 153
D.R.T.C.T.
29.05 ACRES**

TITLE COMMITMENT NOTE:

A title commitment was NOT REVIEWED for the purpose of this survey

BEARING BASIS NOTE:

NAD 83 (HARN) COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203) COMBINED SCALE
FACTOR 0.999938178 NAVD 88 VERTICAL DATUM HORIZONTAL
AND VERTICAL COORDINATES FOR AUS 5 AS ESTABLISHED AND
PUBLISHED BY TEXAS DEPARTMENT OF TRANSPORTATION AND
H-22-3001 AS ESTABLISHED AND PUBLISHED BY THE CITY OF
AUSTIN, WERE USED AS THE CONTROLLING MONUMENTS FOR THIS
SURVEY.

AS SURVEYED BY
LANDMARK SURVEYING, INC

Dana Markus-Wolf
Registered Professional Land Surveyor No 4996
DATE: AUGUST 18, 2005
REVISED AUGUST 31, 2005
THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR

Client: CRESPO CONSULTING SERVICES
Date: AUGUST 18, 2005
Offset: MKLughlin
Crew:
F.B.I:
Disk: Z:\crespo\Barton Creek Sediment\Landmark Drawings\Grid-Staff\EASEMENTS\BC-grid-BASE.dwg
Cage:
Job No.: 551-01-00

**BARTON HILLS DRIVE
(70' R.O.W.)**

**SKETCH TO
ACCOMPANY
FIELD NOTES**

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